

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re WELLS FARGO RESIDENTIAL
MORTGAGE LENDING DISCRIMINATION
LITIGATION

M: 08-CV-1930 MMC

**ORDER DENYING IN PART AND
DEFERRING RULING IN PART ON
DEFENDANT'S OBJECTIONS TO
MAGISTRATE JUDGE'S ORDER;
DIRECTIONS TO PARTIES**

This Document Relates To:

ALL ACTIONS
_____ /

Before the Court is defendant's "Objections to Magistrate's Order Denying Motion to Compel Further Discovery," filed March 18, 2009, by which defendant objects to Magistrate Judge James Larson's "Order Denying Defendants' Motion to Compel Discovery" ("Order"), filed March 3, 2009. Having read and considered the objections to the Order, the Court rules as follows:

1. To the extent defendant objects to the Magistrate Judge's denial of that part of the motion by which defendant seeks to require plaintiffs to supplement certain discovery responses (see Order at 10:1-22), the objections are DENIED, for the reason defendant has failed to establish it was clearly erroneous for the Magistrate Judge to determine plaintiffs need not supplement the subject responses until such time as defendant has provided to plaintiffs the discovery specified in the Order.

2. To the extent defendant objects to the Magistrate Judge's denial of that part of

1 the motion by which defendant seeks to require plaintiffs to answer discovery requests
2 pertaining to "credit data and history" (see Order at 7:28 - 9:28), the Court will defer ruling
3 pending further briefing, as follows:

4 a. No later than April 14, 2009, plaintiffs shall file a response in which
5 plaintiffs, in addition to any other issue plaintiffs believe is appropriate, should address the
6 following issues:


7 1. To the extent defendant's arguments in its Objections are based on
8 relevance to class certification, whether such arguments were raised in the proceedings
9 before the Magistrate Judge; and

10 2. To the extent defendant's Objections are based on a request that
11 plaintiffs be ordered to provide discovery pertaining to other real property owned by
12 plaintiffs, whether such objections have been resolved, in light of counsel for plaintiffs'
13 statement, made at the hearing conducted by the Magistrate Judge, that counsel would not
14 "prevent inquiry" about "other properties" owned by plaintiffs (see Def.'s Objections Ex. B at
15 65).

16 b. No later than April 21, 2009, defendant shall file any reply to plaintiffs'
17 response.

18 **IT IS SO ORDERED.**

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20 Dated: April 1, 2009

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22 MAXINE M. CHESNEY
23 United States District Judge
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